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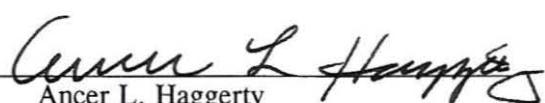
IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF OREGON

Jerome F. Robinson,)
Plaintiff(s),) Civil No. 08-1051-SU
v.) **ORDER**
State of Oregon, et al,)
Defendant(s).)

Before the Court is Defendant's Motion to Dismiss Supplemental State Law Claims (#8), filed October 28, 2008. Plaintiff's response to the Motion to Dismiss (#13), filed November 17, 2008, agrees that Defendant's motion should be granted on the basis that the Oregon Tort Claims Act does not constitute a waiver of Eleventh Amendment Immunity in Federal Court, only Sovereign Immunity in State Court.

Based on the record, IT IS HEREBY ORDERED that Defendant's Motion to Dismiss Supplemental State Law Claims, (#8) is GRANTED.

Dated this 31 day of December, 2008.

by 
Ancer L. Haggerty
United States District Judge